

SEP 08 1994

BARBARA A. EVERLY, CLERK

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE:	*
	* Chapter 7
TROY RONALD SOHN,	* Bankruptcy No. X88-008615
	*
Debtor.	*
	*
	*
TROY RONALD SOHN,	*
	*
Plaintiff,	*
	* Adversary No. 94-5050XS
vs.	*
	*
IOWA COLLEGE STUDENT	* ORDER ALLOWING DISMISSAL
AID COMMISSION,	* OF COMPLAINT AND GRANTING
	* COUNTERCLAIM <u>JUDGMENT</u>
Defendant.	*
	*

This matter came on for pretrial conference on July 8, 1994. Appearing on behalf of plaintiff Troy Ronald Sohn was attorney Donald H. Moistad. Appearing on behalf of defendant Iowa College Student Aid Commission was James S. Wisby, Assistant Attorney General.

Counsel for plaintiff, after conferring with counsel for defendant, now requests permission to dismiss plaintiff's Complaint. Counsel for defendant has no objection to the dismissal.


IT IS THEREFORE ORDERED that the Complaint herein of plaintiff Troy Ronald Sohn is dismissed.

IT IS FURTHER ORDERED that judgment in favor of defendant Iowa College Student Aid Commission be entered against plaintiff

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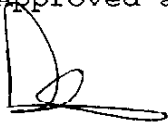
Troy Ronald Sohn in the negotiated sum of \$9,991.68, plus interest at 0 percent per annum, except as provided hereinbelow. No execution shall issue upon this judgment during the period which the plaintiff faithfully pays directly to the Iowa College Student Aid Commission the sum of \$83.26 per month, commencing on the fifteenth day of the next full month following date of entry of this judgment (10 day grace period), and continuing on the fifteenth day of each month thereafter until the entire principal balance has been paid in full. Any amount left due and owing after 120 monthly payments have fallen due hereunder shall accrue simple interest at the rate of 8% per annum. Proof of default by the plaintiff shall be made by the filing of an affidavit by the defendant herein as to the defaults of the plaintiff, specifying them, and upon the filing of such an affidavit of default, execution may issue at any time, without further notice, upon the request of the defendant.

ORDERED: This 8th day of September, 1994.




William L. Edmonds, Chief Bankruptcy Judge

Approved as to form and content:



DONALD H. MOLSTAD (3755)
Attorney at Law
224 Davidson
Sioux City, IA 51101

ATTORNEY FOR PLAINTIFF



JAMES S. WISBY 481500753
Assistant Attorney General
914 Grand Ave. - Suite 201
Des Moines, IA 50309-2824

ATTORNEY FOR DEFENDANT

copies to: James Wisby;
Don Molstad; USTrustee
on 9/8/94, ls

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

DEC - 6 1996

GEORGE PRENTICE II
CLERK

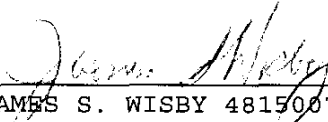
IN RE:	*	
	*	Chapter 7
TROY RONALD SOHN,	*	Bankruptcy No. X88-008615
	*	
Debtor.	*	
<hr/>		
TROY RONALD SOHN,	*	
	*	Adversary No. 94-5050XS
Plaintiff,	*	
	*	
vs.	*	AFFIDAVIT OF
	*	PLAINTIFF'S DEFAULT
IOWA COLLEGE STUDENT AID COMMISSION,	*	
	*	
Defendant.	*	

State of Iowa)
) ss.
County of Polk)

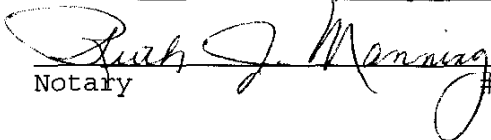
I, James S. Wisby, Assistant Attorney General, hereby certify that plaintiff Troy Ronald Sohn has failed to pay in a timely manner amounts due under an Order Allowing Dismissal and Granting Counterclaim Judgment in the above-captioned action, signed by plaintiff's attorney, Donald H. Molstad, and by undersigned counsel, and entered by the Court on September 8, 1994. "Timely" is defined in the Order. Proof of plaintiff's default is contained in a Recovery History Inquiry, specifying the date and amount of plaintiff's payments, attached hereto as Exhibit A. In accord with the terms of the Order, defendant Iowa College Student Aid Commission may now proceed with the collection of the full amount remaining due under the Order entered against plaintiff in this cause through execution, garnishment or other lawful means.

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All of the statements herein made are true and correct as the undersigned affiant verily believes.


JAMES S. WISBY 481500753
Assistant Attorney General
Attorney for Defendant
Iowa College Student Aid Commission

Subscribed and sworn to before me this 3rd day of December, 1996.


Notary #165849

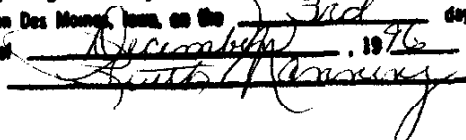
My Commission Expires: 7/20/98

Copy to:

Donald H. Molstad
Attorney at Law
224 Davidson
Sioux City, IA 51101

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties in the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at his respective address as disclosed by the pleadings of record herein, with postage fully paid, and by depositing said envelope in a United States Post Office depository in Des Moines, Iowa, on the 3rd day of December, 1996.



12/03/96 11:32:42

BORR SSN -----NAME-----

USER TIWA029K

485-78-8564 SOHN TROY R

PRINCIPAL OUTSTANDING	9802.29	TOTAL ADJ PRCH AMT	14102.46
UNPAID INTEREST ACCRUED	0.09	GROSS PAYMENTS RCVD	303.87
TOTAL PAYOFF	9802.38	OVERPAYMENTS CUM	0.00
		UNPAID COL COST	0.00

-----PAYMENT HISTORY-----

SEL	RCVY DATE	RCVY PAYMENT	AGCY FEE	TRAN DATE	COLL LOC	PYMT INDCTR
	05/25/92	70.19	0.00	6/04/92	08	IRS
	05/25/92	42.16	0.00	6/04/92	23	IRS
	10/14/94	83.26	0.00	10/21/94	1L	
	11/14/94	83.26	0.00	11/21/94	1L	
	11/04/96	25.00	0.00	11/18/96	1L	

DC900020 END OF BORROWER FILE

GIVE ACTION (HELP, DSCR, MENU, BYE) ==> INQ

PENGAD-Bynum, M. J.

EXHIBIT
A